

Assembly Concurrent Resolution

No. 95

**Introduced by Assembly Member Huber
(Coauthor: Assembly Member Gatto)**

January 30, 2012

Assembly Concurrent Resolution No. 95—Relative to a constitutional convention.

LEGISLATIVE COUNSEL'S DIGEST

ACR 95, as introduced, Huber. Constitutional convention.

This measure would propose that the electors of the state vote at the next statewide general election on the question of whether to call a convention for the purpose of revising the California Constitution.

Fiscal committee: yes.

1 WHEREAS, Section 2 of Article XVIII of the California
2 Constitution provides that the Legislature by rollcall vote entered
3 in the journal, two-thirds of the membership of each house
4 concurring, may submit at a general election the question of
5 whether to call a convention to revise the Constitution; and
6 WHEREAS, Section 2 of Article XVIII of the California
7 Constitution further provides that if a majority vote yes on the
8 question of whether to call a convention to revise the Constitution,
9 the Legislature shall provide for a convention within six months;
10 and
11 WHEREAS, Section 2 of Article XVIII of the California
12 Constitution further provides that delegates to a constitutional
13 convention shall be voters elected from districts as nearly equal
14 in population as may be practicable; now, therefore, be it

1 *Resolved by the Assembly of the State of California, the Senate*
2 *thereof concurring,* That the Legislature of the State of California
3 at its 2011–12 Regular Session commencing on the sixth day of
4 December 2010, two-thirds of the membership of each house
5 concurring, hereby proposes that the electors of the state vote at
6 the next statewide general election after passage of this measure
7 on the question of whether to call a convention to revise the
8 California Constitution, subject to all of the following:

9 (a) Pursuant to Section 2 of Article XVIII of the California
10 Constitution, the question of whether to call a convention to revise
11 the California Constitution shall be submitted to the electors at the
12 next statewide general election and, if a majority vote yes on that
13 question, within six months the Legislature shall provide for the
14 convention;

15 (b) The Secretary of State shall submit the question of whether
16 to call a convention to revise the California Constitution to the
17 electors in the same manner in which the Secretary of State would
18 submit any other measure that is proposed by the Legislature and
19 submitted to a popular vote at a statewide general election;

20 (c) The procedure used to elect delegates to the convention, and
21 the rules of procedure regarding the conduct of the convention,
22 shall be prescribed by a statute to be enacted; and be it further

23 *Resolved,* That the Chief Clerk of the Assembly transmit copies
24 of this resolution to the Secretary of State, the Legislative Analyst,
25 the Attorney General, and to the author for appropriate distribution.